

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

PAUL PARSHALL, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

HCSB FINANCIAL CORPORATION,
MICHAEL S. ADDY, CLAY D. BRITTAIN,
III, GERALD R. FRANCIS, JAN H.
HOLLAR, JAMES C. NESBITT, JOHN T.
PIETRZAK, D. SINGLETON BAILEY, and
UNITED COMMUNITY BANKS, INC.,

Defendants.

Case No. 4:17-cv-01589-RBH

STIPULATION AND [PROPOSED] ORDER OF VOLUNTARY DISMISSAL

WHEREAS, plaintiff filed the above-captioned action (the “Action”) challenging the public disclosures made in connection with the proposed acquisition of HCSB Financial Corporation, pursuant to a definitive agreement and plan of merger filed with the United States Securities and Exchange Commission (“SEC”) on or around April 19, 2017;

WHEREAS, the Action asserts claims for violations of Sections 14(a) and 20(a) of the Securities Exchange Act of 1934 by defendants alleged to have been made in the Registration Statement (the “Registration Statement”) filed with the SEC on or around May 17, 2017;

WHEREAS, defendants have denied and continue to deny any wrongdoing and contend that no claim asserted in the Action was ever meritorious;

WHEREAS, defendants have filed neither an answer nor a motion for summary judgment in the Action;

WHEREAS, no class has been certified in the Action;

WHEREAS, plaintiff has determined to dismiss the Action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and Rule 23(e);

WHEREAS, for the avoidance of doubt, no compensation in any form has passed directly or indirectly to plaintiff or his attorneys and no promise, understanding, or agreement to give any such compensation has been made;

NOW, THEREFORE, upon consent of the parties and subject to the approval of the Court:

IT IS HEREBY ORDERED this _____ day of _____, 2017 that:

1. The Action is hereby dismissed with prejudice as to the named plaintiff, and without prejudice as to the putative class, with each party to bear its own costs.

Dated: August 17, 2017

DUFFY & YOUNG, LLC

By: /s/ J. Rutledge Young, III
J. Rutledge Young, III
96 Broad Street
Charleston, SC 29401
(843) 720-2044
ryoung@duffyandyoung.com

OF COUNSEL:

RIGRODSKY & LONG, P.A.

Brian D. Long
Gina M. Serra
2 Righter Parkway, Suite 120
Wilmington, DE 19803
(302) 295-5310

Attorneys for Plaintiff

RM LAW, P.C.

1055 Westlakes Drive, Suite 300
Berwyn, PA 19312
(484) 324-6800

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

By: /s/ Thomas William McGee, III

Thomas William McGee, III
Cory E. Manning
1320 Main Street, 17th Floor
Post Office Box 11070
Columbia, SC 29201
(803) 799-2000

*Attorneys for Defendants HCSB Financial
Corp., Michael S. Addy, Clay D. Brittain,
III, Gerald R. Francis, Jan H. Hollar,
James C. Nesbit, John T. Pietrzak, and D.
Singleton Bailey*

WYCHE, P.A.

By: /s/ J. Theodore Gentry

J. Theodore Gentry
44 East Camperdown Way
Greenville, South Carolina 29601
(864) 242-8200

*Attorneys for Defendant United
Community Banks, Inc.*

OF COUNSEL:

TROUTMAN SANDERS LLP

J. Timothy Mast
Mary M. Weeks
600 Peachtree Street, NE, Suite 5200
Atlanta, GA 30308
(404) 885-33312

SO ORDERED this ____ day of _____, 2017.

United States District Court Judge